

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION**

Brenda M. Johnson,)	
)	
Plaintiff,)	C/A No.: 0:10-1014-TLW
)	
vs.)	
)	ORDER
MICHAEL J. ASTRUE,)	
COMMISSIONER OF SOCIAL)	
SECURITY ADMINISTRATION,)	
)	
Defendant.)	
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On March 23, 2012, Counsel for the Plaintiff, Robertson H. Wendt, Jr., filed a motion for attorney's fees pursuant to the Social Security Act, 42 U.S.C. §406(b). The motion seeks reimbursement for counsel's representation in the captioned matter in the amount of \$19,185.50, which amounts to twenty-five percent of the past-due benefits withheld by the Social Security Administration for attorney's fees. The Defendant has filed a response indicating it does not oppose a reasonable award of attorney fees, but suggest that the amount requested here may be a windfall. The Court has reviewed Counsel's fee petition and the signed fee agreement that was submitted with the petition, and considered the Defendant Commissioner's position. After careful consideration, the Court finds Counsel's request for fees reasonable. Accordingly, Plaintiff's motion for attorney's fees pursuant to the Social Security Act, 42 U.S.C. §406(b) is granted in the amount of \$19,185.50 Counsel shall remit to Plaintiff any EAJA fees previously awarded in light of this Order granting attorney's fees under 406(b).

IT IS SO ORDERED.

s/ Terry L. Wooten

May 8, 2012

TERRY L. WOOTEN

Florence, SC

UNITED STATES DISTRICT COURT JUDGE